

REMARKS

Claims 1-20 are presently pending in this application. Claims 1, 7-11 and 13 have been amended to more particularly define the claimed invention. Claims 15-20 have been added to claim additional features of the claimed invention.

It is noted that the amendments are made only to more particularly define the invention and not for distinguishing the invention over the prior art, for narrowing the scope of the claims, or for any reason related to a statutory requirement for patentability. It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1-2, 7-9 and 13-14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Okano, UK Pat. No. 2,343,335.

Claim 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okano, UK Pat. No. 2,343,335, further in view of Ono et al., U.S. Pat. App. Pub. No. 2004/0192412.

Claims 4-5 and 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okano, UK Pat. No. 2,343,335, further in view of Bach et al., U.S. Pat. App. Pub. No. 2001/0023182.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Okano, UK Pat. No. 2,343,335, and Bach et al., U.S. Pat. App. Pub. No. 2001/0023182 further in view of Guterman, U.S. Pat. No. 7,062,303.

These rejections are respectfully traversed in view of the following discussion.

I. APPLICANT'S CLAIMED INVENTION

The claimed invention as defined, for example, by independent claim 1, (and similarly by independent claim 9), is directed to a mobile terminal including a battery, a power supply block which supplies power of the battery, a radio communication block which communicates with a base station when the power is supplied from the battery through the power supply block, a first switch which is interposed between the power supply block and the radio communication block, a key operation section to which the power is always supplied from the battery through the power supply block, and a control unit which controls the first switch to stop the power supply from the battery to the radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of the key operation section.

Conventionally, mobile phones having application functions carried in travel outside of the range of the mobile phone's base station will always try to communicate with the base station at maximum transmission power. As a result, there is a possibility that the battery is quickly consumed thereby shortening the use of application functions of the mobile phone. (Application at page 1, line 19 to page 2, line 7.)

The claimed invention (e.g., as recited in claims 1, 9 and 15), on the other hand, includes *a control unit which controls the first switch to stop the power supply from the battery to the radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of the key operation section.* This feature of Applicant's invention is important to provide a mobile phone in which the consumption of a battery in the call waiting operation can be avoided even when the mobile phone is not present in a communicable area. (Application at page 7, lines 8-12.)

II. THE ALLEGED PRIOR ART REJECTIONS

A. The 35 U.S.C. § 102(b) Rejection over Okano, UK Pat. No. 2,343,335

The Examiner alleges that Okano, UK Pat. No. 2,343,335, (Okano), teaches the invention of claims 1-2, 7-9 and 13-14.

Applicant submits, however, that Okano does not teach or suggest:

“a control unit which controls said first switch to stop the power supply from said battery to said radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of said key operation section,” with respect to Applicant's independent claim 1, and,

“controlling said first switch to stop the power supply from said battery to said radio communication block in response to a manual operation of a key of said key operation section, such that the communication between the mobile terminal and the base station is stopped,” with respect to Applicant's independent claim 9.

Okano clearly teaches that the portable communication system with the switch 12 in an “off” condition “will only receive control signals, etc. from the base station,” via receiving section 7, and “all parts but the transmitting section 8 are supplied with power...” (page 7, lines 1-11). (Emphasis added.) Okano clearly teaches that receiving section 7 is not controlled by switch 12 and remains in a powered condition to receive communication when the transmitting section 8 is powered off by switch 12.

Okano clearly teaches away from Applicant's claimed invention where a control unit controls a switch to stop communication between the mobile terminal and the base station.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art reference fails to teach or suggest each and every

element and feature of Applicant's claimed invention.

B. The 35 U.S.C. § 103(a) Rejection over Okano, UK Pat. No. 2,343,335 further in view of Ono et al., U.S. Pat. App. Pub. No. 2004/0192412

The Examiner alleges that Okano, UK Pat. No. 2,343,335, (Okano), further in view of Ono et al., U.S. Pat. App. Pub. No. 2004/0192412, (Ono), makes obvious the invention of claim 3.

Applicant submits, however, that neither Okano, nor Ono, nor any alleged combination, teaches or suggests, *"a control unit which controls said first switch to stop the power supply from said battery to said radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of said key operation section,"* with respect to Applicant's independent claim 1.

The Examiner alleges that one of ordinary skill in the art would have been motivated to modify Okano with the teaching from Ono to form the invention of claim 3. Applicant submits, however that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

Applicant respectfully submits that Okano would not have been combined with Ono as alleged by the Examiner. Indeed, these references are non-analogous because they are completely unrelated. (Okano is directed to a portable communication comprising a switch to control power delivered to transmitting section. Ono is directed to a switching circuit for a cellular phone that switches the supply of a control signal to a display part, wherein the switching circuit supplies a control signal from a processor for telephone functions to the display part during a waiting state, and supplies a control signal from the processor for application functions to the display part during application processing.) No person of

ordinary skill in the art would have considered combining these disparate references, absent impermissible hindsight.

In fact, Applicant submits that the Examiner can point to no motivation or suggestion in the references to urge the combination as alleged by the Examiner, i.e., “in order to provide power consumption.”

Therefore, Applicant respectfully submits that one of ordinary skill in the art would not have been so motivated to combine the references as alleged by the Examiner.

Ono discloses switching means 1025 located in a processor for application functions 102 for switching an audio control signal to an audio function part 106 between a pronunciation control part for a telephone 1026 located in a processor for telephone functions 101, and a pronunciation control part for applications and 27 located in the processor for application functions 102.

Ono fails to teach or suggest, “*a control unit which controls said first switch to stop the power supply from said battery to said radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of said key operation section.*” Therefore, Ono fails to overcome the deficiencies of Okano.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references (alone or in combination) fail to teach or suggest each and every element and feature of Applicant’s claimed invention.

C. The 35 U.S.C. § 103(a) Rejection over Okano, UK Pat. No. 2,343,335 further in view of Bach et al., U.S. Pat. App. Pub. No. 2001/0023182

The Examiner alleges that Okano, UK Pat. No. 2,343,335, (Okano), further in view of Bach et al., U.S. Pat. App. Pub. No. 2001/0023182, (Bach), makes obvious the invention of

claims 4-5 and 10-12.

Applicant submits, however, that neither Okano, nor Bach, nor any alleged combination, teaches or suggests:

“a control unit which controls said first switch to stop the power supply from said battery to said radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of said key operation section,” with respect to Applicant's independent claim 1, and,

“controlling said first switch to stop the power supply from said battery to said radio communication block in response to a manual operation of a key of said key operation section, such that the communication between the mobile terminal and the base station is stopped,” with respect to Applicant's independent claim 9.

Bach discloses a cellular phone providing a standby mode that allows a user the opportunity to answer the call by setting up a priority listing as to which calls will ring the user and which calls will be referred automatically to a voice mail system. Therefore, Bach fails to overcome the deficiencies of Okano.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references (alone or in combination) fail to teach or suggest each and every element and feature of Applicant's claimed invention.

D. The 35 U.S.C. § 103(a) Rejection over Okano, UK Pat. No. 2,343,335 and Bach et al., U.S. Pat. App. Pub. No. 2001/0023182 further in view of Guterman, U.S. Pat. No. 7,062,303

The Examiner alleges that Okano, UK Pat. No. 2,343,335, (Okano), and Bach et al., U.S. Pat. App. Pub. No. 2001/0023182, (Bach), further in view of Guterman, U.S. Pat. No. 7,

062,303 (Guterman), makes obvious the invention of claim 6.

Applicant submits, however, neither Okano, nor Bach, nor Guterman, nor any alleged combination, teaches or suggests, “*a control unit which controls said first switch to stop the power supply from said battery to said radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of said key operation section,*” with respect to Applicant's independent claim 1.

Guterman discloses a general purpose processor 24 and a baseband processor 12 connected via an internal bus 16. Examiner attempts to equate both of Applicant's “control unit,” and “second switch which is interposed between said application function block and said base band block,” with a software feature contained in both the baseband processor 12 and the general purpose processor 24, allegedly disclosed at column 1, lines 9-17, and column 2, lines 1-29.

However, Guterman fails to teach or suggest Applicant's claimed “a second switch which is interposed between said application function block and said base band block,” with respect to Applicant's dependent claim 6, anywhere in Guterman's disclosure including the passages in Guterman cited by the Examiner, above.

Additionally, Guterman fails to teach or suggest, “*a control unit which controls said first switch to stop the power supply from said battery to said radio communication block to stop communication between the mobile terminal and the base station in response to a manual operation of said key operation section,*” Therefore, Guterman fails to overcome the deficiencies of Okano and Ono.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references (alone or in combination) fail to teach or

suggest each and every element and feature of Applicant's claimed invention.

E. Newly Added Independent Claims 15-20 with Respect to the Applied Prior Art References

With respect to Applicant's newly added independent claim 15, the applied prior art references and any combination thereof fail to teach or suggest, "*a control unit which is responsive to a manual operation from said key operation section that controls said first switch to stop the power supply from said battery to said radio communication block, and controls said second switch to stop communication between said base band block from said radio communication block.*"

Therefore, none of the cited prior art references nor any alleged combination thereof teaches or suggests these features of Applicant's claimed invention with respect to newly added claims 15-20.

III. FORMAL MATTERS AND CONCLUSION

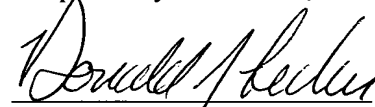
In view of the foregoing, Applicant submits that claims 1-20, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

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Respectfully Submitted,



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